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Working Paper submitted by the People's Republic of China transmitting preliminary views on the Final Document of the United Nations 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

Working Paper

Preliminary views of China on the Final Document of the United Nations 2001 Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects

China actively supports the convening by the United Nations of the Conference on the Illicit Trade in Small Arms and Light Weapons in All Its Aspects in June/July 2001. China believes that the Conference will provide a good opportunity to promote the efforts of the international community to combat illicit trade in small arms and light weapons. With regard to the final document of the Conference, China holds the following preliminary views:

I. Nature of the Final Document

China is of the view that, pursuant to the mandate given by General Assembly resolution 54/54 V entitled "Small Arms", the final document should be a political instrument containing a programme of action to provide practical and useful recommendations for all States and to promote the cooperation of the international community in combating illicit trade in small arms and light weapons.

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II. Elements of the Final Document

In China's view, the final document should include, *inter alia*, the following elements:

1. Clear definitions of relevant terms, such as small arms and light weapons and their classification on the basis of existing relevant documents.

2. A review of the mandate defined by the relevant General Assembly resolution, indicating the objective of the final document, summarizing the problem of illicit trade in small arms and light weapons as well as its scope, nature, and impact; stressing the urgent need for the international community to tackle the problem; reviewing the efforts and achievements of the international community in this regard, and defining the tasks of the international community.

3. Recommendations at global, regional, and national levels in the Programme of Action, with a view to combating illicit trade in small arms and light weapons effectively and at the same time respecting the sovereignty of all States and assuring the right of legal possession and transfer of such weapons for legitimate self-defence. The document should take into consideration different situations in different States and regions, and solutions sought should be country-region-specific and tailored to their actual conditions. Experience suitable only to a certain region should not be imposed on the rest of the world. Recommendations could include *inter alia*:

(a) at the global level

- support for the leading role of the United Nations in discussing and addressing the issue of illicit trade in small arms and light weapons.
- special attention by relevant United Nations institutions to the problems caused by small arms and light weapons when dealing with disarmament, demobilization and reintegration of former combatants in post-conflict regions.
- a more significant role of other relevant international organizations (e.g. Interpol) in combating illicit trade in small arms and light weapons.
- enhancing information exchange and cooperation among law enforcement agencies among States in combating illicit trade in small arms and light weapons.
- raising the awareness of the international community of the issue of illicit trade in small arms and light weapons.

(b) at the regional level

- encouraging in principle the initiatives taken by each region involved to combat illicit trade in small arms and light weapons according to its own actual situation.

(c) at the national level

- strengthening investigation and prosecution, by police, border control, customs and other law enforcement agencies of all States, of activities related to illicit trade in small arms and light weapons.

- strengthening and improving relevant laws and regulations in order to impose severe sanctions on individuals and entities engaging in illicit trade in small arms and light weapons.
- disposal of collected illicit arms (for example, by total destruction).
- stipulation by legislation or other means that only State-authorized entities are allowed to engage in the manufacture of and trade in small arms and light weapons, and assuring the full implementation of laws and regulations on legal trade.
- appropriate disposal of arms in the hands of ex-combatants by the post-conflict States, such as by collection and destruction.
- assuring the traceability of legally traded small arms and light weapons, e.g. appropriate marking and import and export record-keeping.

III. Conclusion of the Final Document

In view of the fact that the subject under discussion is an important issue in the field of arms control and directly relates to security interests and concerns of all States, China is of the view that the final document should be concluded by consensus.